

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ASHBY L. RICHERSON, JR.,

TONI L. RICHERSON,

Plaintiffs,

v.

Civil Action No.: 3:10cv888-HEH

U.S. BANK NATIONAL ASSOCIATION, et al,

Defendants.

MEMORANDUM IN SUPPORT OF MOTION
FOR EXTENSION OF TIME TO FILE RESPONSE

NOW COME the Plaintiffs, Ashby L. Richerson, Jr., and Toni L. Richerson, by counsel, and for their Memorandum in Support of their Motion for Extension of Time to File Response to Defendants U.S. Bank National Association and Home Loan Services, Inc.'s, Motion to Dismiss state as follows:

1. Counsel has worked on the response to Defendants' Motion to Dismiss diligently for days. A full consideration of the arguments of Defendants' counsel necessitated a reevaluation of Plaintiffs' Amended Complaint and claims. The result of the reevaluation is that Plaintiffs are submitting a Motion to Amend their Complaint, including the Amended Complaint.
2. The work required to seek amendment was greater than that anticipated when Plaintiffs received the extension of time to Respond to Defendants' Motion to Dismiss.
3. Counsel requires a one-day extension of time to complete the filings as required by the Federal Rules of Civil Procedure.
4. Trial proceedings are in a very early stage.

5. No party will suffer prejudice as a result of this extension of time.
6. The extension of time is not sought for delay purposes, but so that justice may be served.
7. The extension of time will not cause any delay in the trial proceedings as no date has yet been set for a scheduling conference and no trial date is set.

WHEREFORE, Plaintiffs ask that they be permitted to file their response to Defendants' Motion to Dismiss on or before Friday, January 21, 2011.

ASHBY L. RICHERSON, JR.
TONI L. RICHERSON

/s/

Gary L. Abbott, Esq.
VSB #68829
Attorney for Ashby and Toni Richerson
Consumer Litigation Associates, P.C.
12515 Warwick Boulevard, Suite 100
Newport News, Virginia 23606
(757) 930-3660 - Telephone
(757) 930-3662 – Facsimile
garyabbott9@msn.com

